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07-06-05

PATENT APPLICATION

Docket No.: 3109.1000-002-



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Mordechai M. Beizer, Daniel Berg, Rand Scullard, Pradeep R. Simha and

Mark A. Solomon

Application No.:

09/136,244

Group:

3624

Filed:

August 19, 1998

Examiner:

Ella Colbert

Confirmation No.:

1470

For:

STRUCTURED WORKFOLDER

RECEIVED

JUL 1 8 2005

GROUP 3600

Date: <u>7/7/05</u>

EXPRESS MAIL LABEL NO. EV214880557US

RENEWED PETITION TO WITHDRAW HOLDING OF ABANDONMENT FOR FAILURE TO RESPOND TO AN OFFICE ACTION

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the Decision on Petition to Withdraw the Holding of Abandonment dated June 22, 2005 in the above-identified application, please reconsider this Decision and withdraw the holding of abandonment in view of the fact that the subject Office Action (supposedly mailed from the Patent Office on January 31, 2003) was not received at the practitioner's office.

The undersigned states that the subject Office Action was not received by the undersigned and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received.

A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached as Exhibit A. The attached docket records include the list of all responses due by petitioner's firm at and around the due date of April 30, 2003.

Also attached is a copy of the Petition submitted by the practitioner on October 1, 2004 together with its exhibits. The foregoing and two attachments are believed to provide a sufficient showing to establish non-receipt of an Office Communication in accordance with the Notice entitled "Withdrawing the Holding of Abandonment when Office Actions Are Not Received" 1156OG53 (Nov. 16, 1993).

In consideration of the above statements and attachments, it is respectfully requested that the June 22, 2005 Decision on Petition be reconsidered and the holding of abandonment be withdrawn, that the outstanding Office Action be reissued, that the period for response be restarted and that the Amendment after Final be entered in response hereto to expedite examination of the subject application.

Please charge Deposit Account 08-0380 for any fees that may be due in this matter. An additional copy of this paper is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

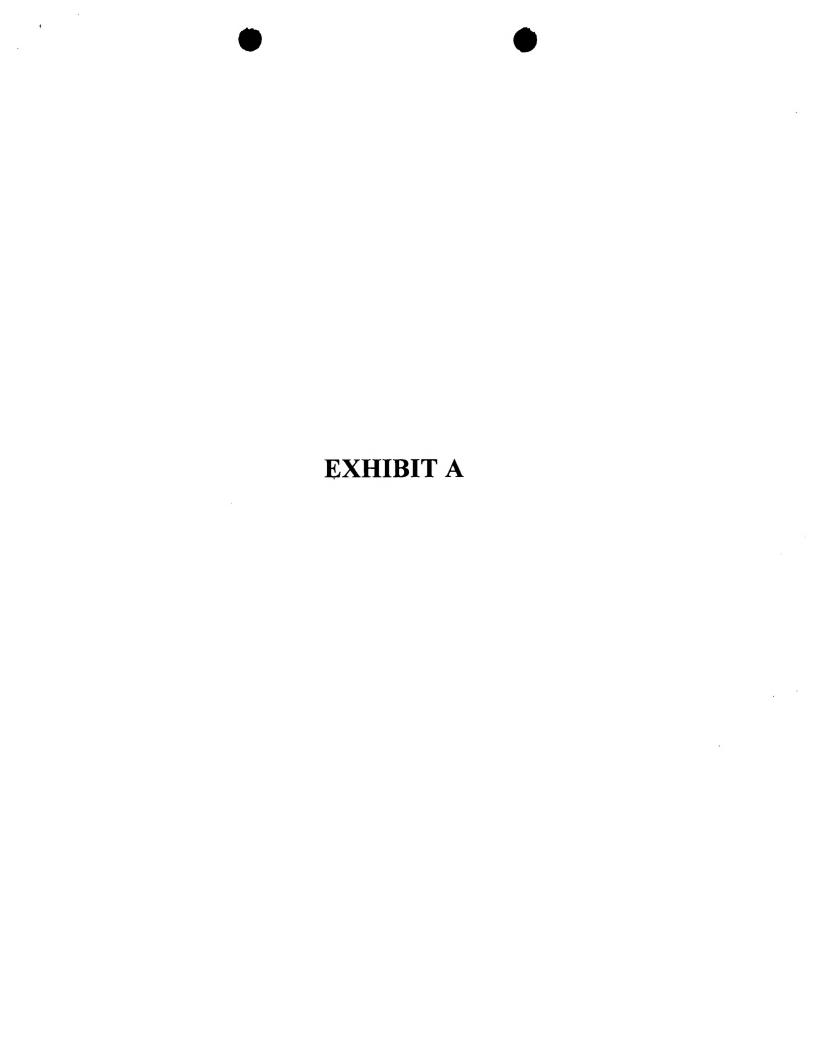
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Concord, MA 01742-9133

Date: 7/6/05



29AP2003	29AP2003	29AP2003 TPIP018+	29AP2003 D-4110	29AP2003 D-4409 LMS98-04PA	29AP2003 AIR00-02	29AP2003 AIR99-07	29AP2003 AIR99-07	29AP2003 AVI99-02	29AP2003	29AP2003	29AP2003	29AP2003	Due Date 29AP2003	WORKBOOK	MASTER FILE REPORT
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30AP2003 AIR108PA2 PCT	2685.1003-010 .Т	PCT	REPLY TO WRITTEN OPINION-MAIL	05MY2003		AIC	JCZ		
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30AP2003	2702.1001-011	USA	FF FAX/CALL- 2 WKS TO DUE DATE	16MY2003		DEB	EWM		
30AP2003	2719.2001-001	USA	REPLY TO RESTRICTION DUE			LMT	JAF		
30AP2003	2767.2001-009	EPC	ANNUITY - DUE ON	31JL2003		MLW	CSK	BAF	

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30AP2003 WHIFG00-17	2825.2023-001	USA	REPLY DUE				LMI	
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30AP2003	3258.1002-008	CHIN	FILE APPLICATION IN HK FINAL			DEB	SGD	SAW	
30AP2003	3265.1008-000	USA	FILE ASSIGNMENT -CASE FILED ON		31JA2003	HMD	Z ₁		
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01MY2003 2134 GTX 303.0/UF-1849	01MY2003	01MY2003	01MY2003	01MY2003 KP 041 US	01MY2003	01MY2003 1020 CN GTX93-03A	01MY2003	01MY2003	01MY2003 31.643 ACC90-01	01MY2003	01MY2003	01MY2003	01MY2003 T001035 1322.2005-000	Due Date	WORKBOOK
2134.2006-007 JF-1849	2037.2029-000	2037.1001-008	2037.1001-008	1959.2013-001	1932.2095-001	1932.1003-007	1733.1045-007	1733.1004-014	1646.1008-004	1440.2027-000	1440.2025-000	1440.2025-000	1322.1032-001 00	Docket No.	
ASTL	USA	USA	USA	USA	USA	CHIN	USA	USA	ISRA	USA	USA	USA	USA	Ctry	
ACCEPTANCE DUE - FINAL ON	FF FAX/CALL- 3 WKS TO DUE DATE	CONTINUATION APPLICATION DUE	ISSUE FEE HAS BEEN PAID	FILE CITES/REL'D APPLICATIONS	IDS - CASE FILED ON	REPLY TO OFFICIAL ACTION DUE	FILE CITES/REL'D APPLICATIONS	FILE CITES/REL'D APPLICATIONS	REPLY TO OFFICIAL ACTION DUE	FF FAX/CALL- 2 WKS TO DUE DATE	COMPLETE APPL. IN USA DUE	FOREIGN FILING DUE	CONTINUATION APPLICATION DUE	Action	
01AU2003	24MY2003									17MY2003				Deadline	
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CSE	SMC	SML	SMC	SWL	SGD	CSE	CSE	CSE	AOC	DMH	DMH	DMH	NSP	Atty	-
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														Res3	

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01MY2003 TAN00-07	01MY2003 TAN00-07	01MY2003 TAN00-07	01MY2003 TAN00-07	01MY2003 TAN00-07	01MY2003 0SI95-01A	01MY2003 0SI95-01A	01MY2003 5267	01MY2003 5389	01MY2003 5606	01MY2003 21497 US	01MY2003	WORKBOOK Due Date	
2479.2017-003	2479.2017-003	2479.2017-003	2479.2017-003	2479.2017-003	2478.1005-005	2478.1005-003	2386.2019-000	2386.2018-000	2386.2017-000	2345.2049-000	2293.2011-000	OK Docket No.	?
USA	USA	USA	USA	USA	JAPA	CANA	USA	USA	USA	USA	USA	Ctry	
DECL/SUR (4 MO EXT) FINAL	FILE ASSIGNMENT -CASE FILED ON	FILING FEE (4 MO EXT) FINAL	IDS - CASE FILED ON	POWER OF ATTY - CASE FILED	REVIEW MATTER	REVIEW MATTER	FF FAX/CALL- 1 WK TO DUE DATE	FF FAX/CALL- 1 WK TO DUE DATE	FF FAX/CALL- 1 WK TO DUE DATE	FILE ASSIGNMENT -CASE FILED ON	1ST RE FF/CK FF LIC - DUE ON	Action	
							10ΜΥ2003	10MY2003	10MY2003		01AU2003	Deadline	
	070C2002		070C2002	070C2002						01NO2002	!	Taken	
TLO	DJT	TLO	TLO	TLO	AOC	AOC	LRR	LRR	LRR	AOC	DJT	Atty	
					ACT	ACT	DJT	DJT	DJT	EWM	F	Res1	
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01MY2003 RP1677	01MY2003	01MY2003 RPI	01MY2003 21.113P	01MY2003 20.988P	01MY2003 0MRF182	01MY2003	01MY2003	01MY2003 AIR9905P	01MY2003	01MY2003 R-7289	01MY2003 TAN0139 PCT	Due Date 01MY2003 TAN0120	WORKBOOK
3230.1004-003	3230.1001-003	3230.1001-001	3011.1004-003	3011.1003-003	2932.1008-005	2932.1006-007	2875.1001-008	2685.1010-001	2657.2010-001	2631.1002-003	. 2479.2112-003	Docket No.	
РСТ	PCT	USA	РСТ	PCT	ASTL	USA	USA	USA	USA	PCT	РСТ	Ctry USA	
CH II (IPE)/ AMD ART 34 DUE	CH II (IPE)/ AMD ART 34 DUE	STATUS INQUIRY DUE	CH II DEMAND RECEIVED?	CH II DEMAND RECEIVED?	PRIOR ART DUE	REVIEW MATTER	DECLARATION DUE	STATUS INQUIRY DUE	FILE ASSIGNMENT -CASE FILED ON	SUBSTITUTE SEQUENCE LISTING	REPLY TO WRITTEN OPN - DUE ON	Action RESCIND NONPUBLICATION REQUEST	
01JE2003	01JE2003		17MY2003	17MY2003							27MY2003	Deadline	
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CSE	CSE	CSE	NSP	NSP	NSP	NSP	RWW	AIC	DJT	RWW	TLO	Atty DJT	
AA	KKA	KKA	ACT	ACT	MKM	M K M	SAB	SGD	TAG	SAB	CSK	Res1	
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01MY2003 3499.1000-007 ISRA PRIOR ART DUE DEB MKM NIIN-PIL-005	01MY2003 3499.1000-004 ASTL PRIOR ART DUE 01JE2003 DEB MKM NIIN-PAU-005	01MY2003 3474.1001-004 PCT SCH RPT?/FILE CITES IN RELD APPS NIIN-PWO-011	01MY2003 3474.1001-004 PCT CH II WRITTEN OPINION REC'D? DEB MKM NIIN-PWO-011	01MY2003 3474.1001-004 PCT CH II DOR DUE DEB MKM NIIN-PWO-011	01MY2003 3419.1000-000 USA FF FAX/CALL- 3 WKS TO DUE DATE 24MY2003 RDJ	01MY2003 3324.1000-006 PCT CH II (IPE)/ AMD ART 34 DUE 01JE2003 RDJ GHF	01MY2003 3324.1000-001 USA FILE ASSIGNMENT -CASE FILED ON 01AU2002 RDJ GHF	01MY2003 3293.1002-000 USA FILE ASSIGNMENT -CASE FILED ON 01NO2002 DJT	01MY2003 3283.1013-000 USA 1ST RE FF/CK FF LIC - DUE ON 01AU2003 DJT	01MY2003 3265.1004-003 PCT POWER OF ATTY REQUIRED/FNL DMH KJT	01MY2003 3258.1000-003 PCT REPLY TO WRITTEN OPINION-MAIL 06MY2003 DEB SGD	01MY2003 3239.1000-025 CHIN REPLY FINAL 01JE2003 DJT M002	Due Date Docket No. Ctry Action Deadine laken Acty Residence of the Control of the Ctry Action Deadine laken Acty Residence of the Ctry Action Deadine laken Acty Residence of the Ctry Action Ctry Residence of the Ctry Action Deadine laken Acty Residence of the Ctry Action Deadine Deadine laken Acty Residence of the Ctry Action Deadine Deadi	
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ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	ANNUITY DUE	Action CERTIFICATE OF CORRECTION		PCMASTER REPORTER
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CSE	CSE	CSE	CSE	CSE	CSE	CSE	CSE	Atty NSP		17AP2003
SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA	Res1		9 45 PAGE: 188
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Docket No. 1733.1015-017	1733.1015-018 4095	1733.1015-019 4095	1733.1015-020 4095	1733.1015-021 4095	1733.1015-022 4095	1733.1015-023 4095	1733.1015-024 4095	3 1733.1015-025 0914095
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0046.2002-003	0046.2002-002	0046.2002-002	0046.2002-001	0046.2002-001	0046.1060-004	3474.1018-000	2345.2057-000	2345.2003-004	2932.1005-004 20	2846.1001-007 54	1932.1064-028	Docket No.	
USA	USA	USA	USA	USA	EPC	USA	USA	USA	ASTL	USA	NEWZ	Ctry	
FILE AMENDMENT AFTER FINAL	NOTICE OF APPEAL (2 MO EXT)	FILE AMENDMENT AFTER FINAL	NOTICE OF APPEAL (2 MO EXT)	FILE AMENDMENT AFTER FINAL	ANNUITY - DUE ON	FILE APPLICATION?	FILE APPLICATION	PREPARE APPLICATION	PRIOR ART DUE	STATUS INQUIRY DUE	ACCEPTANCE FINAL	Action	
					02AU2003						,	Deadline	
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A0C	AOC	AOC	AOC	AOC	RTC	NSP	AOC	M K	NSP	AIC	CSE	Atty	
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02MY2003 MIT4384W WHI85-05AAA	0399.1008-012	JAPA	INSTRUCTIONS FOR FOREIGN ASSOC.	<u>-</u>	10JE2003	0JE2003	0JE2003 AJC	
02MY2003 KPN93-09ACAF2	0717.1083-008 F2) USA	FILE AMENDMENT AFTER FINAL				RDJ	RDJ
02MY2003 KPN93-09ACAF2	0717.1083-008 F2	8 USA	NOTICE OF APPEAL (2 MO EXT)				RDJ	RDJ
02MY2003	0717.2017-003	PCT	ADDITIONAL FEES DUE				NSP	NSP KTS
02MY2003	1440.2012-002	PCT	CH II DOR DUE		12MY2003	12MY2003	12MY2003. DMH	
02MY2003 1683	1818.1030-005	CANA	ANNUITY - DUE ON		02AU2003	02AU2003	02AU2003 DEB	
02MY2003	1855.1005-025	USA	POWER OF ATTY - CASE FILED			280C2002	280C2002 HEW	
02MY2003 MPI2000129CP1	1855.1069-003 P1	3 USA	REPLY (2 MO EXT)				. HEW	HEW RHU
02MY2003 1482 TW	1932.2005-007	TAIW	RE-EXAM APPLICATION				CSE	CSE SGD
02MY2003	2037.2013-009	USA	POWER OF ATTY - CASE FILED			02JA2003	02JA2003 JMS	
02MY2003	2037.2026-000		IDS - CASE FILED ON			27012002		27AU2002 JMS CMF

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2825.2027-001	2825.2027-001	2825.2019-005	2825.2004-001	2790.1001-001	2645.2002-000	2645.2002-000	2517.2002-000	2479.2095-000	2479.2095-000	2313.1001-004	2313.1001-004	2313.1001-004	2251.2006-000	Docket No.	
USA	USA	JAPA	USA	USA	USA	USA	USA	USA	USA	USA	USA	USA	ÜSA	Ctry	
POWER OF ATTY - CASE FILED	FILE ASSIGNMENT -CASE FILED ON	FORMALITIES/FORMAL PAPERS DUE	REPLY (1 MO EXT)	REPLY (2 MO EXT)	COMPLETE APPL. IN USA DUE	FOREIGN FILING DUE	REPLY (1 MO EXT)	COMPLETE APPL. IN USA DUE	FOREIGN FILING DUE	IDS - CASE FILED ON	FILE ASSIGNMENT -CASE FILED ON	SMALL ENTITY STATEMENT	NOTICE OF APPEAL (1 MO EXT)	Action D	
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01FE2002	01FE2002									020C2001	020C2001		,	Taken	
LMT	LMT	LMT	LMT	LRR	SMC	SMC	SMC	DJT	DJT	DMH	DMH	DMH	SWC	Atty	
JCZ	JCZ	ММА	JCZ	KTS	CMF	CMF	TAG	MMC	MMC	JCZ	JCZ	JCZ	DLW	Res1	
						JAR			AMA				1	Res2	
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02MY2003 YA0101 DYX-026.2 PCT	02MY2003 YA0003CIP PCT DYX-016.1 PCT	02MY2003 MNS-001 US	02MY2003 325 SK 437 G REISSUE	02MY2003	02MY2003	02MY2003 CARN-DH-02B	02MY2003 CARN-DH-02B	02MY2003 CARN-DH-02A	02MY2003 CARN-DH-02A	02MY2003	Due Date 02MY2003 PPIR3302 US	WORKBOOK	MASTER FILE REPORT
3421.1009-004 CT	3421.1005-008 CT CT	3353.1004-000	3254.1002-028 ISSUE	3227.1000-000	3223.1004-000	3033.1006-000	3033.1006-000	3033.1004-000	3033.1004-000	3000.1000-001	Docket No. 2907.1000-000		E REPORT
PCT	JAPA	USA	USA	USA	USA	USA	USA	USA	USA	USA	Ctry USA		
REPLY TO WRITTEN OPINION-MAIL	CERTIFIED PRIORITY DOC. DUE	IDS - CASE FILED ON	STATUS INQUIRY DUE	FOREIGN FILING DUE	FILE ASSIGNMENT -CASE FILED ON	REVIEW FOR USA FILING - DUE ON	2ND RE FOREIGN FILING	REVIEW FOR USA FILING - DUE ON	2ND RE FOREIGN FILING	FILE CITES/REL'D APPLICATIONS	Action REPLY DUE - 1 MO EXT		PCMASTER REPORTER
07MY2003	02JE2003					02JL2003	02JL2003	02JL2003	02JL2003		Deadline		
		02JA2003			020C2002						Taken		17AP2003
CSE	CSE	DEB	DEB	RDJ	MLW	SGD	SGD	SGD	SGD	LRR	Atty DEB		
УММ	ММА	AA	SMA	DMW	CSK					KTS	Res1 AJC		45 PAG
	PGA										Res2		9 45 PAGE: 193
	RG										Res3		

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0243.1040-000 435	0169.1005-000 911	0050.1577-000 221	0050.1403-003 333	0046.1060-001)1 503	3499.1003-003	3474.1002-003 2	3474.1000-002	3474.1000-002	3462.1002-000 IP-US	Docket No.	
USA	USA	USA	USA	CANA	РСТ	PCT	USA	USA	USA	Ctry	
TAX BEYOND 4 YRS - DUE ON	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YRS - DUE ON	TAX BEYOND 4 YEARS DUE	ANNUITY - DUE ON	CH II WRITTEN OPINION REC'D?	CH II DOR LETTER - DUE ON	CORRECT DRAWINGS	PRELIMINARY AMENDMENT	IDS - CASE FILED ON	Action	
02NO2003		02N02003		02AU2003		02JL2003				Deadline	
									02DE2002	Taken	
JMS	RDJ	SWC	DMH	A0C	DEB	DEB	DEB	DEB	DEB	Atty	
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	Docket No.	0717.1080-005 953	1913.1002-004 367	2029.1002-000 536	3421.1002-001 S 287	3109.1025-000	0050.2013-001	0050.2044-000	0050.2044-000	0100.2016-007	0399.2006-003	0399.2006-003
	Ctry	USA	USA	USA	USA	USA	USA	USA	USA	TAIW	USA	NSA
	Action	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YEARS DUE	TAX BEYOND 4 YRS - DUE ON	PREPARE APPLICATION	REPLY DUE	FOREIGN FILING - DUE ON	FF FAX/CALL- 4 WKS TO DUE DATE	REPLY TO O.A. EXTENDED-FINAL	REPLY (2 MO EXT)	FORMAL DRAWINGS (2 MO EXT)
	Deadline				02N02003	03JE2003		03JE2003	03JE2003			
	Taken											
	Atty	NSP	AOC	LRR	CSE	M M	NSP	SMC	SWC	SWC	AJC	AJC
	Res1	RDJ	PER	SYS	ММА	GHF	АСТ	RG		GHF		
	Res2	BAF			PGA							
	Res3				SJS							

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1733.2004-003	1655.1050-008	1498.1017-010	1498.1017-003	1159.2002-002	0856.2016-005 N1	0856.2016-005 N1	0856.2016-005 V1	0856.2016-005 V1	0856.2016-005 V1	0856.2016-005 V1	0856.2010-000 √	0717.2028-003	Docket No.
РСТ	USA	JAPA	CANA	PCT	USA	USA	USA	USA	USA	USA	USA	PCT	Ctry
POWER OF ATTY REQUIRED/FNL	FILE ASSIGNMENT -CASE FILED ON	REQUEST FOR EXAM - DUE ON 03JE2003	REQUEST FOR EXAM - DUE ON 03JE2003	CH II DOR DUE	SMALL ENTITY STATEMENT	FILE ASSIGNMENT -CASE FILED ON	FILING FEES - CASE FILED ON	IDS - CASE FILED ON	POWER OF ATTY - CASE FILED	DECL/SUR - CASE FILED ON	PRELIMINARY AMENDMENT	POWER OF ATTY REQUIRED/FNL	Action Deadline
	03JL2002											!	Taken
CSE	NSP	SWL	SWL	DMH	DMH	DMH	DMH	DMH	DMH	DMH	DMH	NSP	Atty
SMA		KTS	KTS	ACT							MKM	JMM	Res1
SDL		RG	RG	JAR								JAR	Res2
													Res3

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03MY2003 2134.2006-012 GTX 303.0/UF-1849	03MY2003 2047.1001-005 MPI1991002GB1USCN2 LYNX91-01A3	03MY2003 2047.1001-005 MPI1991002GB1USCN2 LYNX91-01A3	1958.1024-000)-35-05	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1884.2014-001	1818.2003-000	Docket No. 1733.2004-005	00K
EURA	USA	USA	USA	USA	USA	USA	USA	USA	USA	USA	USA	Ctry PCT	
REPLY TO O.A. EXTENDED-DUE ON	BRIEF ON APPEAL (3 MO EXT)	FILE AMENDMENT AFTER FINAL	NOTICE OF APPEAL (1 MO EXT)	IDS - CASE FILED ON	FILE ASSIGNMENT -CASE FILED ON	FILING FEES DUE (NOTICE REC'D)	SUBSTITUTE DRAWINGS DUE	DECL/SUR DUE (NOTICE REC'D)	SMALL ENTITY STATEMENT	POWER OF ATTY - CASE FILED	FOREIGN FILING DUE	Action POWER OF ATTY REQUIRED/FNL	
03JE2003												Deadline	
				15JA2003	15JA2003					15JA2003		Taken	
CSE	HEW	МЭН	RDJ	SMC	SWL	SMC	SMC	SMC	SMC	SMC	DEB	Atty CSE	
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WORKBOOK									
Due Date	Docket No	Ctry	Action	Deadline	Taken	Atty	Res1	Res2	Res3
03MY2003	2791.1003-007	USA	POWER OF ATTY - CASE FILED		22FE2002	DEB	SGD	PAT	1
03MY2003	2791.1003-007	USA	FILE ASSIGNMENT -CASE FILED ON		22FE2002	DEB	SGD	PAT	
03MY2003 BIDMC98-20	2820.1000-000	USA	FILE AMENDMENT AFTER FINAL			DMH	E E	•	
03MY2003 BIDMC98-20	2820.1000-000	USA	BRIEF ON APPEAL DUE (NOA REC.)			DMH	M M M		
03MY2003 WHIFG99-11	2825.1025-002	USA	IDS - CASE FILED ON		11DE2000	LMT	JCZ		
03MY2003	2831.1014-000	USA	REPLY (2 MO EXT)			DEB	SGD	KKA	
03MY2003 OMRF 182 DIV	2932.1008-003	USA	STATUS INQUIRY DUE			NSP	M M	TLV	
03MY2003 D21233P	3011.1010-000	USA	COMPLETE APPL. IN USA - DUE ON	03JE2003		NSP	CCD		
03MY2003 D21233P	3011 1010-000	USA	FOREIGN FILING - DUE ON	03JE2003		NSP	CCD	SDL	
03MY2003 D21233P	3011.1010-000	USA	FF FAX/CALL- 4 WKS TO DUE DATE	03JE2003		NSP	CCD		
03MY2003	3048.1003-000	USA	2ND RE FOREIGN FILING	03JL2003		RTC	ELE		
03MY2003	3048.1003-000	USA	REVIEW FOR USA FILING - DUE ON	03JL2003		RTC	ELE		
03MY2003	3174.1008-000	USA	CORRECT PROV COVER SHEET			DEB	SGD		

03MY2003

3174.1011-000 USA

REPLY DUE

DEB

SGD

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